

Hearing Officer / Board of Adjustment Sign Application

City of Tempe
Development Services
31 East Fifth Street
Tempe, AZ 85280-5002
480-350-8331 TDD 480-350-8400



Criteria for Reviewing Applications

To obtain a favorable staff recommendation and speed processing, the following are required:

- ◆ Completed application (See [Required Items](#))
- ◆ Letters of support from adjacent property owners
- ◆ Letter of support from Neighborhood or Homeowners Association

Hearing Officer/Board of Adjustment Legal Procedure

Public Notice

At least 15 days prior to the public hearing, the Development Services Department will:

1. send a Public Hearing Notice by first class mail to property owners within 300 feet of the affected parcel;
2. send a Public Hearing Notice to tenants within the boundary of the parcel;
3. advertise the Public Hearing Notice in the East Valley Tribune newspaper; and
4. post a Public Hearing Notice on the property. You may contact these property owners to explain your request if you wish.

Neighborhood Meeting

Submit a letter of notice for the neighborhood meeting to staff.

At least 29 calendar days prior to the neighborhood meeting, the applicant will:

1. mail a notice of the meeting date, location, time, and summary of the request, to (1) all neighbors within 300', (2) the chairperson of the neighborhood association(s) and homeowner's association(s) within 600 feet and (3) any tenant within the center (for commercial and industrial centers).
2. post public notice about the meeting on the property, adjacent to a public street. Development service department will supply the sign at cost.

At least 15 calendar days before the public hearing, the applicant shall hold the neighborhood meeting :

1. At a location near the proposed development site
2. On a weekday evening or weekends
3. At any reasonable time and in a publicly accessible location

At least 7 calendar days before the public hearing, the applicant shall submit a summary of the discussion / meeting notes from the neighborhood mtg. to the Development services Department.

Public Hearing

The Board of Adjustment meets on the 4TH WEDNESDAY OF EACH MONTH, 7:00 PM, IN THE CITY COUNCIL CHAMBERS.* Hearing Officer meets on the 1ST AND 3RD TUESDAY OF EACH MONTH, 1:30 PM, IN THE CITY COUNCIL CHAMBERS.* A report and recommendation by the Planning Division will be considered by the Hearing Officer/Board of Adjustment.

* **Subject to change.**

Presence Required At Public Hearings

You or your representative **MUST BE PRESENT** to explain your situation and to answer questions which may arise in consideration of the matter. Persons for and against the request are given an opportunity to be heard. Failure to appear may result in continuance of your application or its denial. Extenuating circumstances will be considered if you cannot attend; written explanation to be provided to the Development Services staff prior to the meeting.

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Hearing Officer/Board of Adjustment Legal Procedure (continued)

Hearing Officer/ Board Action

If the Hearing Officer/Board of Adjustment finds that the facts presented in the matter justify approval, the request may be approved, and conditions deemed necessary to preserve the intent of the Zoning Ordinance may be imposed. The Hearing Officer may refer any case, which cannot be resolved, to the Board for disposition. If the Board finds that the facts presented do NOT justify approval, the request may be modified or denied. In the event of extenuating circumstances, the Board may continue any case until a future date.

Notice of Action/ Appeals

You will be notified of the Hearing Officer/Board of Adjustment action by mail. Objections to a decision of the Hearing Officer may be submitted to the Board as an appeal within seven (7) calendar days. Any appeal of a Board of Adjustment action may be appealed to the Superior Court within 30 days of a Board action.